

Senate File 5 - Introduced

SENATE FILE 5

BY ANDERSON

A BILL FOR

1 An Act relating to funding for projects on state and local
2 roads and bridges in critical need of repair or maintenance,
3 and making an appropriation.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 8.55, subsection 2, Code 2013, is amended
2 to read as follows:

3 2. The maximum balance of the fund is the amount equal to
4 two and one-half percent of the adjusted revenue estimate for
5 the fiscal year. If the amount of moneys in the Iowa economic
6 emergency fund is equal to the maximum balance, moneys in
7 excess of this amount shall be distributed as follows:

8 a. The first sixty million dollars of the difference between
9 the actual net revenue for the general fund of the state for
10 the fiscal year and the adjusted revenue estimate for the
11 fiscal year shall be transferred to the taxpayers trust fund.

12 b. Moneys in excess of the amount transferred under
13 paragraph "a", up to a maximum of one hundred million dollars,
14 shall be transferred to the critical needs road fund created
15 under section 312B.1.

16 ~~b.~~ c. The remainder of the excess, if any, shall be
17 transferred to the general fund of the state.

18 Sec. 2. Section 8.58, Code 2013, is amended to read as
19 follows:

20 **8.58 Exemption from automatic application.**

21 1. To the extent that moneys appropriated under section
22 8.57 do not result in moneys being credited to the general fund
23 under section 8.55, subsection 2, moneys appropriated under
24 section 8.57 and moneys contained in the cash reserve fund,
25 rebuild Iowa infrastructure fund, environment first fund, Iowa
26 economic emergency fund, ~~and~~ taxpayers trust fund, and critical
27 needs road fund shall not be considered in the application of
28 any formula, index, or other statutory triggering mechanism
29 which would affect appropriations, payments, or taxation rates,
30 contrary provisions of the Code notwithstanding.

31 2. To the extent that moneys appropriated under section
32 8.57 do not result in moneys being credited to the general fund
33 under section 8.55, subsection 2, moneys appropriated under
34 section 8.57 and moneys contained in the cash reserve fund,
35 rebuild Iowa infrastructure fund, environment first fund, Iowa

1 economic emergency fund, ~~and taxpayers trust fund~~, and critical
2 needs road fund shall not be considered by an arbitrator or in
3 negotiations under chapter 20.

4 Sec. 3. NEW SECTION. 312B.1 **Critical needs road fund.**

5 1. A critical needs road fund is created in the state
6 treasury under the control of the department of transportation.
7 The fund shall be separate from the general fund of the state
8 and the balance in the fund shall not be considered part of
9 the balance of the general fund of the state. The fund shall
10 consist of moneys appropriated by the general assembly and any
11 revenues credited by law to the critical needs road fund. The
12 moneys in the fund are not subject to section 8.33 and shall
13 not be transferred, used, obligated, appropriated, or otherwise
14 encumbered except as provided in this section. Notwithstanding
15 section 12C.7, subsection 2, interest or earnings on moneys
16 deposited in the critical needs road fund shall be credited to
17 the fund.

18 2. Moneys in the critical needs road fund are appropriated
19 to the department of transportation to be used as directed by
20 the department exclusively for the repair and maintenance of
21 roads on the primary or secondary road system or the municipal
22 street system, including bridges. The department shall
23 establish guidelines to be used by the department, counties,
24 and cities for identifying roads and bridges in critical
25 need of repair or maintenance and for the department to use
26 in evaluating and prioritizing state and local road projects
27 to receive funding under this section. Counties and cities
28 may apply for funding from the critical needs road fund by
29 submitting to the department proposals for projects on roads
30 under their respective jurisdictions. A qualifying proposal
31 shall include information regarding the status and condition
32 of the road that is the subject of the proposal, the plan for
33 completing the project, and any other information required by
34 the department. The department shall develop an application
35 process for counties and cities to use for the submission of

1 proposals for the use of funds under this section. Moneys
2 distributed from the critical needs road fund may be used
3 in combination with other available funding as necessary to
4 accomplish the completion of a qualifying project and to
5 accomplish the goal of reducing the number of Iowa roads and
6 bridges with critical needs.

7

EXPLANATION

8 This bill establishes a critical needs road fund in the state
9 treasury under the control of the department of transportation.
10 Moneys in the fund are appropriated to the department to be
11 used exclusively for repair and maintenance of state and local
12 roads. The department is authorized to direct the use of the
13 fund's resources according to guidelines to be established by
14 the department for identifying roads and bridges in critical
15 need of repair or maintenance and for prioritizing state
16 and local critical needs projects. Counties and cities
17 may submit proposals for the use of funds on roads under
18 their jurisdiction according to an application process to be
19 developed by the department. Moneys from the fund may be used
20 in combination with other available funding.

21 The bill provides that if the economic emergency fund
22 reaches the maximum balance, after the required transfer of a
23 portion of the excess to the taxpayers trust fund and before
24 any remaining excess is transferred to the general fund of the
25 state, any excess moneys in an amount up to \$100 million shall
26 be transferred to the critical needs road fund.